



Ontario: Annual Statutes

1985

c Pr24 Association of Municipal Clerks and Treasurers of Ontario Act, 1985

Ontario

© Queen's Printer for Ontario, 1985

Follow this and additional works at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes

Bibliographic Citation

Association of Municipal Clerks and Treasurers of Ontario Act, 1985, SO 1985, c Pr24

Repository Citation

Ontario (1985) "c Pr24 Association of Municipal Clerks and Treasurers of Ontario Act, 1985," *Ontario: Annual Statutes*: Vol. 1985, Article 51.

Available at: http://digitalcommons.osgoode.yorku.ca/ontario_statutes/vol1985/iss1/51

This Statutes is brought to you for free and open access by the Statutes at Osgoode Digital Commons. It has been accepted for inclusion in Ontario: Annual Statutes by an authorized administrator of Osgoode Digital Commons.

CHAPTER Pr24

An Act respecting the Association of Municipal Clerks and Treasurers of Ontario

Assented to December 20th, 1985

Whereas the Association of Municipal Clerks and Treasurers of Ontario hereby represents that it was incorporated under the laws of Ontario by letters patent dated the 20th day of November, 1962; that the Association desires to be continued as a corporation for the purpose of carrying out the objects of the Association and of the government and discipline of its members; and whereas the Association desires to grant to its members the exclusive right to use certain designations and abbreviations thereof as set out in section 7; and whereas the Association hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Definitions

“Association” means the Association of Municipal Clerks and Treasurers of Ontario;

“board” means the board of directors of the Association;

“registered” means registered as a member under this Act and
“registration” has a corresponding meaning;

“registrar” means the registrar of the Association.

2.—(1) The corporation known as the Association of Municipal Clerks and Treasurers of Ontario is hereby continued as a corporation without share capital and the persons registered as members of the Association on the day this Act comes into force and such other persons as hereafter become members of the Association constitute the corporation.

Association
continued

(2) The members of the board and the officers of the Association in office immediately before the coming into force of

Continuation
of present
board

this Act are hereby continued in office until their successors are elected or appointed in accordance with this Act and the by-laws of the Association.

Letters
patent
revoked

(3) The letters patent and supplementary letters patent of the Association are revoked, but the revocation does not affect the rights or obligations of the Association or any by-law, resolution or appointment of the Association except to the extent that the by-law, resolution or appointment is inconsistent with this Act.

Special Act
corporation

(4) The Association shall be deemed to be a corporation incorporated by a special Act.

Objects

3. The objects of the Association are,

- (a) to improve the professional standards and promote the interests of its members in carrying out their respective municipal duties in the Province of Ontario;
- (b) to provide formal training and educational facilities to its members;
- (c) to hold conferences and meetings for the discussion of municipal affairs, interests and duties, the reading of papers and the delivery of lectures;
- (d) to issue copies of papers, lectures and other material to members of the Association, and generally to collect, collate and publish information of service or interest to members of the Association;
- (e) to ascertain and notify the members of the Association of the laws and practices relevant to its members; and
- (f) to maintain discipline among the members of the Association.

Board of
directors

4.—(1) The affairs of the Association shall be managed by a board of directors.

Composition

(2) The board shall consist of not fewer than ten or more than thirty-five members of the Association, as the board may determine by by-law, elected from the membership of the Association.

Past
president

(3) The immediate past president of the Association shall be a member of the board.

(4) The manner of electing the members of the board, the notification to the electors of the time and place of holding elections, the nomination of candidates, the presiding officers at elections, the taking and counting of votes, the giving of a casting vote in the case of an equality of votes, the tenure of office of members of the board and other necessary details shall be set out in the by-laws of the Association. Idem

(5) At any meeting of the board, a majority of the members of the board constitutes a quorum. Quorum

(6) The board shall elect from its number a president and vice-president and shall appoint a secretary who need not be a member of the board. President, etc.

(7) The board may appoint such other persons as are necessary to perform the work of the Association. Idem

(8) In the case of the death, resignation or incapacity of any member of the board, the office shall be declared vacant by the board and the board shall fill the vacancy in such manner as may be provided by the by-laws of the Association for the balance of the term. Vacancies

(9) The board shall appoint a registrar, who need not be a member of the board, and the registrar shall perform the functions assigned to the registrar by this Act and such other duties as may be assigned to the registrar by the board. Registrar

5.—(1) The board may pass by-laws regarding such matters as are necessary to conduct the business and carry out the objects of the Association and, without restricting the generality of the foregoing, the board may pass by-laws, By-laws

- (a) establishing the qualifications for and conditions of registration for members;
- (b) establishing a curriculum and courses of study to be pursued by students and members and the subjects upon which students and members of the Association shall be examined and for granting certificates to students and candidates who have successfully passed the examinations;
- (c) prescribing rules of behaviour for members of the Association and providing for the suspension, expulsion or other penalty if a member contravenes the rules of behaviour;
- (d) prescribing fees payable to the Association;

- (e) governing the calling, holding and conducting of meetings of the board and of the members of the Association;
- (f) authorizing the spending of funds for any purpose that may tend to advance the knowledge and education of municipal clerks and treasurers, or improve standards of practice in municipal administration, or support and encourage public information and interest in the past and present role of municipal clerks and treasurers in society;
- (g) establishing such categories of membership in the Association as the board considers appropriate and establishing the qualifications for membership in the various categories of membership;
- (h) providing for the custody and use of the seal of the Association; and
- (i) providing for the manner in which records and the making of reports are maintained and kept for and by the Association.

Confirmation
of by-law

(2) No by-law passed by the board comes into force until it is confirmed or amended and confirmed by the general membership at an annual meeting or at a special meeting called for the purpose of considering the by-law.

Membership

6.—(1) The Association shall grant a membership in the Association to any individual who applies therefor in accordance with the by-laws, if the individual,

- (a) is not less than eighteen years of age;
- (b) has complied with the academic and experience requirements specified in the by-laws of the Association for the issuance of membership; and
- (c) has obtained such qualifications as the board may set or approve in accordance with the by-laws of the Association.

Register

(2) The registrar shall keep a register in which shall be entered the names of all members of the Association in good standing and only those persons so registered are members entitled to the privileges of membership in the Association.

(3) The register shall be open to examination by the public at the head office of the Association during normal office hours. Inspection
of register

(4) Any person who has been refused membership or who has been subject to a disciplinary sanction under the by-laws of the Association may appeal to the Divisional Court, in accordance with the rules of the Court, from the refusal or from the sanction. Appeals

(5) Upon the request of a party desiring to appeal to the Divisional Court and upon payment of the fee therefor, the registrar shall furnish the party with a certified copy of the record of the proceedings, including the documents received in evidence and the decision or order appealed from. Certified
copy of
record

(6) An appeal under this section may be made on questions of law or fact or both and the court may affirm or may rescind the decision of the board appealed from and may exercise all powers of the board and may direct the board to take any action which the board may take and as the court considers proper, and for such purposes the court may substitute its opinion for that of the board or the court may refer the matter back to the board for rehearing, in whole or in part, in accordance with such directions as the court considers proper. Powers of
court on
appeal

7.—(1) Every registered member of the Association who has satisfied the criteria as set out in the by-laws of the Association may use the designation “Accredited Municipal Clerk/Treasurer”, “Accredited Municipal Clerk/Treasurer (Associate)”, “Certified Municipal Officer” or “Certified Municipal Officer (Associate)”, as the case may be, and may use after the member’s name the initials “A.M.C.T.”, “A.M.C.T.(A)”, “C.M.O.” or “C.M.O.(A)” respectively. Designation

(2) Any person in Ontario who, not being a registered member of the Association, takes or uses any designation or any set of initials referred to in subsection (1) either alone or in combination with any other word, name, title, initial or description, or implies, suggests or holds out that he or she is an Accredited Municipal Clerk/Treasurer, Accredited Municipal Clerk/Treasurer (Associate), Certified Municipal Officer or Certified Municipal Officer (Associate) is guilty of an offence. Offence

(3) In every case where registration is an issue, the production of a copy of the register, certified under the hand of the registrar, is sufficient evidence of all persons who are registered in lieu of the production of the original register and any certified copy purporting to be signed by a person in that Evidence

person's capacity as registrar is proof, in the absence of evidence to the contrary, that such a person is the registrar without any proof of that person's signature or that the person is the registrar.

Idem

(4) The absence of the name of any person from a copy of the register produced under subsection (3) is proof, in the absence of evidence to the contrary, that the person is not registered.

Right to
practice
unaffected

8. This Act does not affect or interfere with the right of any person who is not a member of the Association to practice as a municipal officer or employee in the Province of Ontario.

Surplus

9. Any surplus derived from carrying on the affairs and business of the Association shall be devoted and applied solely in promoting and carrying out its objects and purposes and shall not be divided among its members.

Commence-
ment

10. This Act comes into force on the day it receives Royal Assent.

Short title

11. The short title of this Act is the *Association of Municipal Clerks and Treasurers of Ontario Act, 1985*.